

REMARKS

Kindly reconsider and allow all claims.

As can be seen from the drawings, the invention is unitary and involves forming boules, which are subsequently melted and processed. See, for example, examined claim 109 chamber, substrates, support, first movers, moving the substrates, silica particle providers, deposit on the substrate, heating, softening, agglomerating, creating preforms.

That is true for all Figures 109, 14-19 and 22. Figures 10-13 and 20-21 simply show what is done with the boules that result.

Withdrawn claim 1, for example, has the same features as examined claim 109.

The same parallelism is seen in examined dependent claims 110-120 and in withdrawn dependent claims 2-14.

Features to claim 109 are claimed in withdrawn claim 123 which further adds the melting and doping.

Withdrawn independent claims 136 and 177 start with features related to claim 109.

The two points may be moot because the examiner has acknowledge claims 1-120 as one group.

The original requirement in the January 7, 2004 Office Action acknowledged that similarity and required election between:

Group I claims 1-230 (class 65, subclass 376)

Group II claims 231-240 (class 428, subclass 357+)

and then set up species:

X apparatus

Y method

A Figure 4

B Figure 5

C Figure 7

Five species are a reasonable number of species and should be included in examination.

All of the claims should be examined.

The examiner's objections to drawings amendments on page 2 is not understood. Figures 5-7 of the drawings do not appear to have been amended with new matter.

The examiner's §112 first paragraph rejection on page 3 is not understood. That rejection has never been raised before in the four years that the application has been pending. The examiner appears to hold that "substrates" is too broad, without citing references or authorities. That rejection is traversed.

The examiner's §112 second paragraph objection to claim 109, lines 3 and 4, has been corrected by adding a comma in line 3.

The examiner's §112 second paragraph objection to claim 109 line 7 has been corrected by cancelling "for" in line 6.

The applicant appreciates the non-entering of the examiner's amendment cancelling claims.

The only issues remaining in this case are the examiner's §112 second paragraph rejections of claim 109, which have been overcome by minor amendments on lines 3 and 6 of claim 109.

The examiner's §112 first paragraph rejection of claim 109 should be withdrawn. No art has been cited. No authority has been cited to support that "substrates" is too broad.

There is no issue on drawings since Figures 5-7 have not been changed.

There is no rejection on art.

Since claims 109-122 and 128-135 have not been rejected on art, a reasonable number of species within the Group I 1-230 claims should be considered and allowed. Five species, X, Y, Z, A, B, is a reasonable number of species.

Claims 1-108, 109-122, 123-127, 128-135 and 136-230 should be allowed.

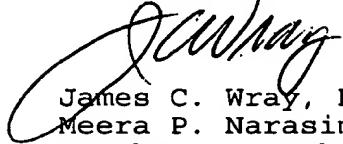
The only remaining issue is whether Group II claims 231-240 should be examined and allowed.

Those ten claims describe the particular substrates for fused silica deposition as discussed in the other claims and should be considered and allowed as a species under Group I claims 1-230.

CONCLUSION

Reconsideration and allowance of claims 1-240 is requested.

Respectfully,



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